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GOVERNMENT OF PUNJAB
DEPARTMENT OF LOCAL GOVERNMENT
(LG-II Branch)

NOTIFICATION

The 20th February, 2020

No. 5/29/2018 (19)-2LG2/293.—In exercise of the powers conferred by sub section (1) of Section 41 of the Punjab Town Improvement Act, 1922 and all other powers enabling him in this behalf the Governor of Punjab is pleased to sanction the Development Scheme framed by the Phagwara Improvement Trust, Phagwara under section 24 read with the section 25 and 28(2) ibid of the said Act for an area measuring 18 K 8M (Part of Scheme No. 10) situated within the Municipal limits of Phagwara as shown in the layout plan drawing No. PITP-05/2018 dated 05-02-2018 adopted vide Trust resolution No. 1 dated 01.03.2018.

This Notification is issued in the pursuance of the provision under section 42(1) of the said Act. The details of the scheme are given below:-

SCHEDULE OF BOUNDARIES

- ਊੱਤਰ:-** ਬਿੰਦੂ 'ਓ' ਜੋ ਖਸਰਾ ਨੰਬਰ 2597 ਦੀ ਉੱਤਰੀ ਪੱਛਮੀ ਬਾਹੀ ਤੇ ਪੈਂਦਾ ਹੈ ਤੋਂ ਸ਼ੁਰੂ ਹੋ ਕੇ ਖਸਰਾ ਨੰ: 2597, 2596 ਅਤੇ 2595 ਦੀ ਪੱਛਮੀ ਦੱਖਣੀ ਬਾਹੀ ਦੇ ਨਾਲ-ਨਾਲ ਪੱਛਮ ਵੱਲ ਨੂੰ ਜਾਂਦੇ ਹੋਏ ਬਿੰਦੂ 'ਅ' ਤੱਕ।
- ਪੱਛਮ:-** ਬਿੰਦੂ 'ਅ' ਜੋ ਕਿ ਖਸਰਾ ਨੰ: 2595 ਦੀ ਪੱਛਮੀ ਦੱਖਣੀ ਬਾਹੀ ਅਤੇ ਖਸਰਾ ਨੰ: 2594 ਦੀ ਉੱਤਰੀ ਪੱਛਮੀ ਬਾਹੀ ਦੇ ਮਿਲਣ ਨਾਲ ਬਣਦਾ ਹੈ, ਤੋਂ ਖਸਰਾ ਨੰ: 2595 ਅਤੇ ਖਸਰਾ ਨੰ: 2601 ਦੇ ਨਾਲ-ਨਾਲ ਦੱਖਣੀ ਬਾਹੀ ਨੂੰ ਚੱਲਦੇ ਹੋਏ ਬਿੰਦੂ 'ਇ' ਤੱਕ।
- ਦੱਖਣ:-** ਬਿੰਦੂ 'ਇ' ਜੋ ਕਿ ਖਸਰਾ ਨੰ: 2602 ਦੀ ਪੱਛਮੀ ਦੱਖਣੀ ਬਾਹੀ ਅਤੇ ਖਸਰਾ ਨੰ: 2601 ਦੀ ਦੱਖਣੀ ਪੂਰਬੀ ਬਾਹੀ ਦੇ ਮਿਲਣ ਨਾਲ ਬਣਦਾ ਹੈ ਤੋਂ ਸ਼ੁਰੂ ਹੋ ਕੇ ਖਸਰਾ ਨੰ: 2601 ਦੇ ਨਾਲ-ਨਾਲ ਪੂਰਬ ਵੱਲ ਜਾਂਦੇ ਹੋਏ ਬਿੰਦੂ 'ਸ' ਤੱਕ।
- ਪੂਰਬ:-** ਬਿੰਦੂ 'ਸ' ਜੋ ਕਿ ਖਸਰਾ ਨੰ: 2600 ਦੀ ਦੱਖਣੀ ਪੂਰਬੀ ਬਾਹੀ ਅਤੇ ਖਸਰਾ ਨੰ: 2601 ਦੀ ਪੂਰਬੀ ਬਾਹੀ ਦੇ ਮਿਲਣ ਨਾਲ ਬਣਦਾ ਹੈ ਤੋਂ ਸ਼ੁਰੂ ਹੋ ਕੇ ਖਸਰਾ ਨੰ: 2600 ਅਤੇ ਖਸਰਾ ਨੰ: 2597 ਦੇ ਨਾਲ-ਨਾਲ ਉੱਤਰੀ ਬਾਹੀ ਵੱਲ ਨੂੰ ਜਾਂਦੇ ਹੋਏ ਬਿੰਦੂ 'ਓ' ਤੱਕ ਅਰਥਾਤ ਸ਼ੁਰੂਆਤੀ ਬਿੰਦੂ 'ਓ' ਤੱਕ।

ਇਹ ਵਸੀਮੇ ਉਸ ਕਾਰਜ ਸੂਚੀ ਵਿਚ ਦਰਸਾਏ ਗਏ ਹਨ, ਜਿਸ ਦਾ ਡਰਾਇੰਗ ਨੰ: ਪੀ.ਆਈ.ਟੀ.ਪੀ. 2/2017 ਮਿਤੀ 14.03.2017 (ਸਰਵੇ-ਕਮ-ਖਸਰਾ ਪਲੈਨ) ਹੈ। ਇਸ ਸਕੀਮ ਵਿਚ ਪੈਂਦੇ ਖਸਰਿਆਂ ਦੀ ਤਵਸੀਲ ਰਕਬੇ ਸਮੇਤ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਹੈ:-

2595 (5-7), 2596 (4-13), 2597 ਮਿਨ (1-7), 2601 (7-1)

2. The Trust may acquire the area comprised in the scheme or any part of it under the provisions of section 24, 25 and 28(2) (i) & (ii) of the Punjab Town Improvement Act, 1922 and may develop it mainly for residential purpose. The Trust may clear the site; demolish any building or part thereof as may be required for the purposes of the scheme. The Trust may layout new streets, roads, open spaces and/or improve existing roads/streets to provide parking spaces and other public amenities as shown on the layout plan drawing no. PITP-05/2018 dated 05-02-2018 to provide drainage, water supply and street lighting and do all acts intended to promote the health of the residents of the area comprised in the scheme. Any land not required for provision of Roads, Parking and other Public amenities shall be utilized for the purpose of building sites for plots, shop-cum-offices/flats, shops, booths etc. purposed under section 28 (2) (iii) of the Punjab Town Improvement Act, 1922 or may be utilized for construction of building as provided under section 28(2) ibid.

The total cost of acquisition of land under the scheme and its development is estimated to be Rs. 2,06,65,000/- approximately and the estimated income from the scheme is approximately Rs. 3,61,90,000/-.

3. The Trust may levy an annual betterment contribution @ 2% of the increase to be recovered from the owners of the properties for a period of 5 years lying within a distance of four hundred and forty yards of the boundaries of the scheme; the value of which is increased or is likely to increased or is likely to increase as a result of the making of the scheme.
4. The development of the area comprised in the scheme shall be regulated by the provisions of the schedule of clauses appearing hereinafter:-

SCHEDULE OF CLAUSES

SHORT TITLE:

This scheme shall be cited as Development Scheme 18 Kanal 8 Marla (Part of scheme no. 10) of Phagwara Improvement Trust, Phagwara for residential purpose at Phagwara.

It applies to the whole of the area enclosed by boundary line shown in survey plan bearing drawing no. PIT(P)-2/2017 dated 14-03-2017 and bounded by the following areas/localities in:-

NORTH	:	Patel Nagar
EAST	:	Scheme No. 10 of Phagwara Improvement Trust, Phagwara
SOUTH	:	Scheme No. 10 of Phagwara Improvement Trust, Phagwara
WEST	:	Scheme No. 10 of Phagwara Improvement Trust, Phagwara

ARRANGEMENT OF THE SCHEME

Part - I	:	General
Part -II	:	Reservation and Designation of land use
Part -III	:	Building Restrictions
Part -IV	:	Material and Structural Control
Part -V	:	Miscellaneous

PART- I = GENERAL**EXTENT OF APPLICATION**

The requirements of the scheme shall extend to the whole of the area of the scheme and shall be in addition to the requirements of any Bye-Laws and Local Acts which shall continue to apply to the area in so far as they do not conflict with and are consistent with the requirements of the scheme.

DEFINITIONS:-

In this scheme unless the context otherwise requires or it is otherwise expressly provided the following words/expressions have the meaning herein assigned to them:-

'Abut' Means a building is said to abut on a street when the outer face of any of its external walls is on the street, road boundary.

'Act' Means The Punjab Town Improvement Act, 1922.

'Ancillary zone' In relation to any area means the land use zone ancillary or serving the dominant land use and includes all the conforming uses of the dominant land use but excludes all the non-conforming uses whether existing or proposed.

'Applicant' Means the person who gives an application to the Phagwara Improvement Trust of his/her intention to erect or re-erect a building and shall include his/her legal representatives and authorised person.

'Authorised Officer' Means an officer of the Phagwara Improvement Trust specially authorised by the Trust or Government to perform functions as authorised officer under these rules.

'Architect' Shall have the same meaning as assigned to it in the Architect's Act, 1972 and registered as such under these rules.

'Area' Means the area shown within the boundary lines of the Survey Plan drawing no. PIT(P) 2/2017 dated 14-03-2017.

'Balcony' Means cantilevered horizontal projection at the first floor or roof level from the wall of a building without any vertical support.

'Basement' Means storey which is next below the ground storey or which is in any part more than half of its height below the main level of the street or ground adjoining the building. It can only be used for parking/storage/services.

'Building erection & re-erection' Building erection & re-erection of any building street & public street and other works and expressions not defined in this scheme have the same meaning as assigned to them in the Punjab Municipal Building Bye Laws-2018 and as amended from time to time.

'Building Line' Means a fixed line, if any, specified for a site beyond which no building (except those relaxed in these clauses) within that site other than compound wall/projection shall project.

'Building Control Sheet' Means the plan or plans approved by the Chief Town Planner, Local Government, Punjab and kept in the office of the Trust prescribing any or all the following information in respect of the plot, road, street, open spaces, building or a part of building, group or block of buildings in the area covered by the scheme:-

- Compulsory layout, design, landscaping proposals for any road, street or public open space.
- Compulsory design of any building or structure.
- Compulsory architectural treatment including height, facade or elevation of the front, rear or any side of any building or structure.

- d. Design & treatment of boundary walls, fencing, gates, hedges, sign boards, name plates etc.
- e. Compulsory ground coverage and height upto which building shall be erected.
- f. Any other restrictions or conditions on the erection or re-erection of any building or structure.

'Building Unit' Means a self contained building including buildings as are ordinarily ancillary to the main building and used in connection therewith and physically incapable of sub-division into two or more independent building units.

'Bye Laws & Local Act' Means bye-laws, rules, legislation, enactments, orders and regulations for the time being in force in the area.

'Chief Town Planner' Means the Chief Town Planner, Local Government, Punjab or any other officer to whom any of his powers may have been delegated.

'Courtyard' Means an area open to sky within the boundary of a plot which is enclosed or partially enclosed by the building boundary walls or railings, it may be at ground floor level or any other levels within or adjacent to a building.

'Commercial Building' Means building so adopted or constructed so as to be used for Business and Commercial purposes as defined in the prevalent Municipal Building Bye laws.

'Dwelling Unit' Means a residential building intended for the use of a single family shall in addition to living room have at least a kitchen, a bathroom and a water closet.

'Floor Area Ratio' Means the ratio derived by dividing the total covered area of all floors excluding the area of basement storey (which shall not be used for habitable purposes) to the total area of plot.

'Ground Floor' Means the storey which has its floor surface nearest to the ground around the building.

'Habitable Room' Means a room having windows and glazed door of the size of not less than one tenth of the floor area of the room and designed for use of study, living, sleeping, eating, kitchen excluding bath rooms, water closets compartments, laundries, serving and storage pantries, corridors, attics and spaces which are not used frequently for extended period and in other words room constructed or adopted to be used by some person either as living room in which a part of the day is spent or a room in which some person may pass the night and shall not include a kitchen, a bathroom, closets or a store room etc.

'Height' Height in relation to a building means the vertical measurement of the building measured from the finished level of the centre of the street where such street exist or from the main level of the ground adjoining the outside of the external walls to half of the height of roof in case of sloping roofs and upto the highest level of the building in case of building with flat roof excluding parapet, flues, ducts, water storage tanks and munties, domes, water cooling tanks, lift towers, lift room not exceeding 2.25 meters (m) in height and in relation to a room means the vertical measurement from finished surface of the floor to the under surface of the ceiling of the same room and in the case of sloping, ceiling the height shall be the minimum height of any such room.

'Layout Plan' Means drawing No. PITP-05/2018 dated 05-02-2018 showing the streets, roads, public open spaces, parking areas, temporarily or permanently prohibited for buildings, building lines, maximum areas that can be built up and permitted use in respect of each or a group of plots into which the land may be shown to be divided and any other conditions that shall be applicable in the area covered by the Layout Plan.

'Lobby'	Means a covered circulation space in which all the adjoining rooms open.
'Loft'	Means an intermediate floor in between two main floors not less than 1.2 m in clear height which may be adapted or constructed for storage purposes only and at a clear height of not less than 2.25 m from the finished floor level.
'Mumty'	Means a structure with a covering roof over a staircase and its landing built to enclose only the stairs for the purpose of providing protection from weather and not used for human habitation.
'Mezzanine Floor'	Means a gallery, balcony or loft or an interior floor not so constructed as to be capable of habitation, use of living, sleeping, erected between the floor. An intermediate floor between two floors of any storey forming an integral part of floor below.
'Parking Space'	<p>Means an enclosed or unenclosed covered or open area sufficient in size to park vehicles for private parking or public parking.</p> <p>Private parking: if such parking is used/provided exclusively for private parking of vehicles.</p> <p>Public parking: if such space is used exclusively for public parking of vehicles, parking spaces shall be served by a driveway connecting them with a street or alley permitting safe and convenient ingress and egress of vehicles.</p>
Plinth level'	Means the level of the ground floor of a building with respect to the adjoining ground or street, measuring from the level of the center of the adjoining street or road.
'Public Building'	Means a building used or constructed or adapted to be used either ordinarily or occasionally as place of the public worship, as a hospital, college, school, hostel, public gathering room, public lecture room, public exhibition hall or as public place of assembly or recreational centre or building constructed or adapted to be used either ordinarily or occasionally for any similar public purposes of family units.
'Residential Buildings'	Means building so adapted or constructed for residential purposes in which sleeping and living accommodation is provided with cooking facilities.
'Site coverage'	<p>Means ground area covered by the building immediately above plinth level but does not include the space covered by:-</p> <ul style="list-style-type: none"> (a) The compound wall, entrance gate, cantilevered projection up to 0.91 m. (b) Garden, rockery wall and well structure, plant nursery, water pool, platform around a tree, tank, fountain, bench; etc. (c) Drainage, culvert, conduit catch pit, pit chamber and gutter etc.
'Storey'	Means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there shall be no floor above it, then the space between any floor and the ceiling next above it.
'Trust'	Means the Phagwara Improvement Trust, Phagwara.
'Zoning Plan'	Means the plan showing the boundaries of building site, zoned area, set backs, open spaces location, permissible height, permissible uses of land and building site coverage and such other restrictions on the use and development of site/plot as approved by the Chief Town Planner, Local Government, Punjab.
<u>NOTE:-</u>	Words and expressions not defined in this schedule of clauses shall have the same meaning or the senses as are contained in the Punjab Town Improvement Act, 1922/ Punjab Municipal Building Bye Laws-2018 and as amended from time to time.

PART-II = RESERVATION AND DESIGNATION OF LAND USE

The whole of the area covered by the scheme shall proposed to be acquired, laid out and developed for uses indicated by the Layout Plan, Zoning Plan and Building Control Sheets.

The several areas of the land specified in the drawing shall be reserved for the respective purposes as shown in the drawing/layout plan.

- (i) Land reserved for streets, open spaces and parks shown in the layout plan shall be laid out by the Trust according to the standard cross sections etc. and will remain in the possession of the Trust till such time it is transferred to the Municipal Corporation under section 55 of the Punjab Town Improvement Act, 1922.
- (ii) The use and development of the land shown as “reserved for Public purposes” shall be governed by part layout plan/zonning plan, building control sheets and other standard design approved by Chief Town Planner (LG). Land reserved for public purposes in the layout plan shall remain in the possession of the Trust till such lands are disposed off for the respective uses as indicated on the drawing.
- (iii) The use to which the remaining area or any part of the scheme shall be put to use as shown in the layout plan/part layout plan and no land or any part of building constructed on it shall be used for any other purposes than the use prescribed.
- (iv) No land in the area shall be used for any other purposes inconsistent with the scheme even though such use does not involve the erection of building provided that the present use of land may continue till it is regulated or prohibited under the law or the rules made for this purpose.

PART – III = BUILDING RESTRICTIONS

1. TYPE OF BUILDING PERMITTED:-

- i. The land shown as street, open spaces/pavements and parking spaces in the layout plan and buildings or building operations necessary for conversion of such land in order to enable the land to be used for the purposes for which it is reserved shall only be permitted.
- ii. On the remaining land, buildings which may be erected or re-erected shall be for uses as shown in the layout plan.

2. SIZE OF PLOTS AND NUMBER OF BUILDING ON EACH PLOT:-

No plot shall be of size less than that shown on the layout plan and not more than one building unit shall be erected on any one plot, however two or more complete plots may be combined for purposes of one building unit.

3. PROPORTION OF THE PLOT WHICH MAY BE COVERED IN THE BUILDING:-

The proportion up to which site/plot may be covered with building including ancillary building shall be in accordance with the following slab, remaining portion will be left open in the form of an open space or court yard around the building:-

a) Residential Plots:

The maximum permissible limits for residential plots shall be as under:-

Plot Area (in Square Yards)	Site Coverage	Minimum Front Setback no. PITP-05/2018 dated 05-02-2018	Permissible Height	Permissible FAR
Up to 100	90%	As shown in the drawing	11.74 m	1:2.00
Above 100 to 150	90%			1:1.90

Above 150 to 200	70%	1:1.75
Above 200 to 300	65%	1:1.65
Above 300 to 500	60%	1:1.50
Above 500 to 1000	50%	1:1.50
Above 1000	40%	1:1.25

b) **Commercial and other Buildings:-** As per Building Control Sheet or Zoning Plan.

NOTE:-

- i. Provision for basement shall be allowed in accordance with prevalent Municipal Building Bye laws. Further it shall satisfy public health and structural requirements and shall not be used for habitable purposes.
- ii. Provided that where a part of plot has been shown as an arcade/ varandah, such space shall be constructed in the form of an arcade or a verandah only. The floor level of this arcade or verandah, shall be as per the building control sheet and it shall be left up un-enclosed, un-encroached and un-hindred permanently so as to function as continuous covered pavement in front of each shop.

4. MINIMUM AREA OF COURT YARD FOR PURPOSES OF VENTILATION:-

- i. The minimum area of every courtyard for the purpose of light and ventilation in a residential building shall not be less than 9 square meter, provided that inter connecting balconies of not more than 0.91 m width on first or higher floor may be erected projecting into the court yard or as shown in zoning plan or building control sheets.
- ii. The width of front set back for residential building shall be as shown in the drawing no. PITP-05/ 2018 dated 05-02-2018.
- iii. The minimum area of court yard or set back in case of commercial and other buildings shall be in accordance with zoning plan or building control sheets.

5. MINIMUM REQUIREMENTS OF AREA, HEIGHT, LIGHT/VENTILATION FOR OFFICE OR HABITABLE ROOM:-

The minimum requirements of area, height, light/ventilation etc. for an office/ habitable room shall be in accordance with zoning plan or building control sheets or prevalent Municipal Building Bye-laws.

6. BOUNDARY WALL AND GATES:-

The height and design of the boundary wall and gate in front, side and the rear shall be in accordance with the provision of the building control sheets or zoning Plan and shall conform to the pattern as laid down for such a plot on the drawing thereof. The height of the front and rear boundary wall shall not be more than 1.55 m and 1.83 m respectively.

7. VISION SPLAYS:-

The boundary wall of the corner plots at all street/road corners shall be set back to provide vision splay of minimum 1.55 m radius or in accordance with details shown in the layout plan/zoning plan/building control sheets.

8. HEIGHT OF BUILDING:-

The maximum height for residential building shall not exceed 11.74 m from crown of the road, whereas for commercial and other buildings, maximum height shall be as per zoning plan/ building control sheets.

9. SET BACK OF PROJECTION PORTION OF ROOF LEVEL:-

The projected portion of parapet, flues, ducts, water storage tanks, munties, domes, water cooling tanks, lift towers, lift rooms exceeding 2.25 m in height shall be receded from the facade by a minimum distance

equal to the height above roof level, falling which these shall be counted in calculating the height of the building as well as covered area.

10. STAIRCASE:-

- i. A building having more than one storey and intended to be used as a single family or two-family residential building shall be provided with at least one stair case having minimum clear width of 0.91 m.
- ii. Every building intended to be used as a commercial or public building shall be provided with at least one stair case extending from ground floor level to the highest floor having minimum clear width of 1.20 m or as per building control sheet or zoning plan.
- iii. No staircase in a building shall have a riser of more than 19 centimeters (cms) and a tread of less than 23 cms.
- iv. The Width of the landing shall not be less than the width of the staircase.

11. PROVISION OF LIFT:-

Every building having more than fourteen meters height shall be provided with a minimum of one lift and the total number of such lifts shall be calculated on the basis of one lift for every 900 square meters floor area above four storeys.

12. EXCEPTIONS:-

Notwithstanding the provision of Part- III clauses 1 to 11, nothing shall prevent the construction of the following structures provide that they are in accordance with the building control sheets or zoning plan and do not violate any provisions therein, the space to be left clear under the provisions of aforementioned clauses and the area under such structure shall not being counted as covered area for the purpose of the Part- III clause 3:-

- i. Open/uncovered balcony or chajja or cantilever not exceeding 0.91 m beyond the building line when measured at right angle to the outer face of the wall and it shall be within the boundaries of the site.
- ii. Projections/Sun shade shall not exceed 0.45 m on opening in the walls in the case of residential building.
- iii. No projection/sun shade shall be constructed at a height less than 2.25 m clear above the plinth level of the building execpt a window sill for a projection of not more than 6 cms from building line at a height of not less than 60 cms above the plinth.
- iv. Drains, sewer, septic tank or other structures in connection with the disposal of waste or open garden tank or swimming pool (provided that no roofed buildings attached to any of the above) shall not be counted in covered area.

13. ARCHITECTURAL CONTROL:-

- i. The Trust shall with the prior approval of the Chief Town Planner, Local Government, Punjab prepare building control sheets or zoning plan applicable in the scheme areas.
- ii. The architectural design and its detail of all the buildings within the scheme areas shall be prepared by a qualified registered Architect/Engineer.

PART- IV = MATERIAL AND STRUCTURAL CONTROL

1. Fire Protection:-

- i. All requirements of the protection through classification of buildings based on occupancy, type of

construction and other requirement shall be in accordance with the IS-1642-1960 Code of Practice for Safety of Buildings (General), material and details of construction and other relevant B.I.S. Code or the National Building Code with latest amendments or as per the instructions issued by Government from time to time.

- ii. For building having more than four storey in height, fire-resistant material shall be used for construction and interiors.
- 2. **Structural Design:-** The structural design of all buildings shall be in accordance with the relevant provisions of the B.I.S. Code or the National Building Code as amended from time to time and all buildings except residential shall be certified by a registered structural engineer or as per the instructions issued by Government from time to time.
- 3. **Plinth level:-** The Plinth level shall not be less than forty five centimeters or as may be specified by the Trust form time to time.
- 4. **Roof:-** The construction of every roof shall conform to the materials and specifications as are specified in the Punjab Public Works Department specifications.

PART – V = MISCELLANEOUS

1. The requirements of this schedule shall be in addition to the requirements of any bye-laws and local acts.
2. The overall dimensions taken across streets and public streets as shown in the map/drawing are measured between the boundary lines of properties on the opposite sides of the street. These dimensions are measured in all cases at right angles to the directions of the streets.
3. No plot in the area shall be built upon until all streets, open spaces and spaces for public services have been demarcated by permanent boundary pillars eventually to be built into the work.
4. Rain water harvesting provision shall be compulsory in plots having area more than 200 square yards.
5. At least 10% of the space to be left open within the plot shall be used for plantation.

Relaxation:-

6. The Trust with prior approval of Government at any time may relax any of the provisions of this schedule.

SANJAY KUMAR, IAS,

Chandigarh

The 12th February, 2020

Additional Chief Secretary to Government of Punjab,
Department of Local Government.